

**UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

**MARY BLOODSWORTH and
JERRY BLOODSWORTH,**

Plaintiffs,

v.

**SMITH & NEPHEW, INC.,
et al.,**

Defendants.

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CASE NUMBER:

2:05cv622-d

**REPLY OF DEFENDANTS SMITH & NEPHEW, INC., AND DONNIE LANIER TO
PLAINTIFFS' RESPONSE IN OPPOSITION TO DEFENDANTS' MOTION FOR MORE
DEFINITE STATEMENT**

Defendants' Motion for More Definite Statement is not a collateral attack on the Court's December 19, 2005 Order. Defendants have not requested that the Court amend its Order in any way. Donnie Lanier will sit for deposition on January 13, 2006, and plaintiffs will have the opportunity to amend their pleadings after Mr. Lanier's deposition. Defendants' motion simply requests that the plaintiffs do what they are already required to do by the Federal Rules of Civil Procedure: Tell the defendants what they know now in sufficient detail to comply with Rule 9(b).

s/ Lee M. Pope

James C. Barton, Jr.

Lee M. Pope

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OF COUNSEL

CERTIFICATE OF SERVICE

I hereby certify that on this the 4th day of January, 2006, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Mr. Tom Dutton
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s/ Lee M. Pope
Of Counsel